

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Assistant Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2039.007400RFE.

Reconsideration of the application in view of the following amendments and remarks is respectfully requested.

### AMENDMENT

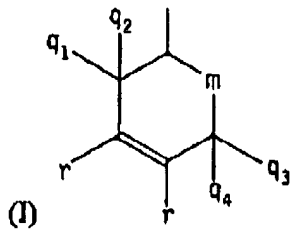
#### In the claims:

Cancel claims 45 and 52, and amend claims 40-41, 44, 46-47, 49, 53, 68, and 70, to read as follows:

C1  
40. (Amended) The packaging article of claim 20, further comprising an oxygen barrier layer, wherein the oxygen barrier layer does not comprise a polymer comprising a cycloalkenyl group having structure (I).

41. (Amended) The packaging article of claim 40, wherein the oxygen barrier layer not comprising a polymer comprising a cycloalkenyl group having structure (I) comprises poly(ethylene vinyl alcohol) (EVOH), polyacrylonitrile (PAN), a copolymer comprising acrylonitrile, poly(vinylidene dichloride) (PVDC), polyethylene terephthalate (PET), polyethylene naphthalate (PEN), or polyamide other than MXD6.

C2  
44. (Amended) The packaging article of claim 20, further comprising an oxygen scavenging layer, wherein the oxygen scavenging layer comprises an oxygen scavenging polymer comprising an ethylenic backbone and a cycloalkenyl group with structure I:



wherein  $q_1$ ,  $q_2$ ,  $q_3$ ,  $q_4$ , and  $r$  are independently selected from hydrogen, methyl, or ethyl;  $m$  is  $-(CH_2)_n-$ , wherein  $n$  is an integer from 0 to 4, inclusive; and, when  $r$  is hydrogen, at least one of  $q_1$ ,  $q_2$ ,  $q_3$ , and  $q_4$  is also hydrogen.

C<sub>3</sub>

46. (Amended) The packaging article of claim 44, wherein the oxygen scavenging polymer in the oxygen scavenging layer is selected from ethylene/methyl acrylate/cyclohexenylmethyl acrylate terpolymer (EMCM), ethylene/vinyl cyclohexene copolymer (EVCH), ethylene/cyclohexenylmethyl acrylate copolymer (ECHA), or cyclohexenylmethyl acrylate homopolymer (CHAA).

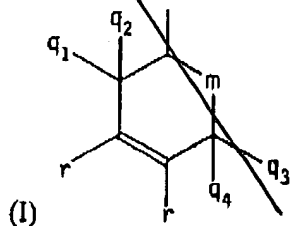
47. (Amended) The packaging article of claim 44, wherein the oxygen scavenging layer is a liner, coating, sealant, gasket, adhesive, non-adhesive insert, or fibrous mat insert in the packaging article.

SUB  
D3

C<sub>4</sub>

49. (Amended) A method of making an oxygen barrier composition comprising an oxygen barrier polymer and an oxygen scavenging polymer, comprising:

providing the oxygen barrier polymer and the oxygen scavenging polymer; and  
blending the oxygen barrier polymer and the oxygen scavenging polymer to form the oxygen barrier composition, wherein the oxygen scavenging polymer comprises an ethylenic backbone and a cycloalkenyl group having the structure I:



C4  
C4

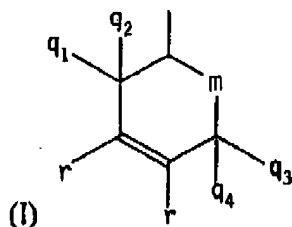
wherein  $q_1$ ,  $q_2$ ,  $q_3$ ,  $q_4$ , and  $r$  are independently selected from hydrogen, methyl, or ethyl;  $m$  is  $-(CH_2)_n-$ , wherein  $n$  is an integer from 0 to 4, inclusive; and, when  $r$  is hydrogen, at least one of  $q_1$ ,  $q_2$ ,  $q_3$ , and  $q_4$  is also hydrogen.

C5

53. (Amended) The method of claim 49, wherein the oxygen scavenging polymer is selected from ethylene/methyl acrylate/cyclohexenylmethyl acrylate terpolymer (EMCM), ethylene/vinyl cyclohexene copolymer (EVCH), ethylene/cyclohexenylmethyl acrylate copolymer (ECHA), or cyclohexenylmethyl acrylate homopolymer (CHAA).

C6

68. (Amended) The method of claim 60, wherein the forming step further comprises forming an oxygen barrier layer in the packaging article, wherein the oxygen barrier layer does not comprise a polymer comprising a cycloalkenyl group having the structure I:



wherein  $q_1$ ,  $q_2$ ,  $q_3$ ,  $q_4$ , and  $r$  are independently selected from hydrogen, methyl, or ethyl;  $m$  is  $-(CH_2)_n-$ , wherein  $n$  is an integer from 0 to 4, inclusive; and, when  $r$  is hydrogen, at least one of  $q_1$ ,  $q_2$ ,  $q_3$ , and  $q_4$  is also hydrogen.

70. (Amended) The method of claim 60, wherein the forming step further comprises forming an oxygen scavenging layer comprising a polymer comprising a cycloalkenyl group having the structure I:

C7